



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,868	12/19/2001	Jani Hyvarinen	324-010647-US(PAR)	1041
2512	7590	11/23/2009		
Perman & Green, LLP 99 Hawley Lane Stratford, CT 06614			EXAMINER GREY, CHRISTOPHER P	
			ART UNIT	PAPER NUMBER
			2474	
			MAIL DATE	DELIVERY MODE
			11/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed on 10/30/09 have been fully considered but they are not persuasive.

Regarding claims 1-3,5-11,18-25,27 and 28.

The applicant argued that the combined teachings of Gui and Sug fail to teach the applicants claimed limitations based on the combined acknowledgements (see applicant remarks on page 12). The examiner maintains that the claimed limitations are addressed in the rejections of claims 1, 18, 21, 25 and 28. The applicants arguments are based on a typographical error, where the rejection of claim 25, similar to that of claims 1, 18, 21 and 28, should read:

Regarding claim 25. *Gui discloses a transmitter (fig 2, Mobile device 12) configured to transmit a first service request (Col 14 lines 17-29 shows a service request to a service provider) to a first network (fig 2,52, 2G network) in response to the apparatus being attached to the first network (fig 7b, wireless device is registered/attached to home network in 90) and data transmission (Col 2 lines 3-10, voice, data, etc.) being desired between the apparatus (fig 2, Mobile device 12) and a terminal (Col 1 lines 40-55, where data signals are communicated to PSTN or packet switched network devices),*

receiving the requested service (Col 12 lines 44-47, where the wireless device 12 received the service requested on the second network or platform) from the second network (Col 14 lines 17-29, where a different network is assigned) when the data transmission service (Col 14 lines 17-19, service request requests a data tx service) is not

providable (Col 14 lines 17-29, the home network cannot optimally service the request and Col 11 lines 54-60, where the requested service cannot be supported if a predetermined parameter level is not reached) substantially in accordance with at least one of the service request (Col 14 lines 17-18 shows a service request) and the terminal is not reachable via the first network (Col 14 lines 17-29, where the service request is not optimal in the home network).

Gui does not specifically disclose wherein the is further configured to transmit a second service request to the second network in response to at least one of the data transmission service not being providable in the first network substantially in accordance with the first service request and the terminal not being reachable via the first network.

Sug discloses wherein the transmitter (fig 2, Mobile device 12) is further configured to transmit a second service request (Col 3 lines 65-Col 4 lines 2, service request is issued once the subscriber is notified of the congestion condition) to the second network (fig 1, 6, packet switched network) in response to at least one of the data transmission service not being providable (Col 3 lines 52-55, radio channels are unavailable, thus service is not providable) in the first network (fig 1, circuit switched network 4) substantially in accordance with the first service request (Col 3 lines 42, set up request) and the terminal not being reachable (Col 3 lines 52-63, channels are unavailable, thus the terminal is not reachable via the circuit switched network) via the first network (fig 1, circuit switched network 4).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was disclosed to modify the redirection process of Gui, as taught by Sug, since stated in Col 1 lines 47-59, that such a modification will alleviate time-consumption and frustration.

The examiner asserts that the typographical error is clear to anyone reading the rejection, where the cited portions (Columns and lines) support the typographical error.

The applicant also argues that the combined teachings do not teach a second service request that is transmitted from the mobile station to a second network in response to the message received from the first network. The examiner maintains that the claimed limitations interpreted in its broadest sense is taught by the cited art wherein Gui teaches a first service provider (first network) providing a message indicating and instructing the wireless device to reregister with another network to receive the requested service (according to Col 4 lines 17-30), upon receiving this message, the wireless device reregisters to another network (according to Col 14 lines 55-57), where re-registering involves sending a second service request (according to Col 9 lines 39-48, where the wireless device sends a request to a network for registration). Sug in only introduced to further show and clarify that in the event that a first network (circuit switched network) cannot support a service request from a mobile device, the circuit switched network sends a message indicating a congestion condition, and the mobile issues a second service request via a second network (packet switched network (according to Col 3 lines 40-Col 4 lines 3).

Page 13 of the applicant's arguments states that Sugs transmitting the service request to another network is inaccurate. The examiner points to the response above where Gui teaches upon receiving this message, the wireless device reregisters to another network (according to Col 14 lines 55-57), where re-registering involves sending a second service request (according to Col 9 lines 39-48, where the wireless device sends a request to a network for registration). Sug also teaches sending a second form of service request via a packet switched network when the first network is not available according to Col 3 lines 65-Col 4 line 3.

Further arguments mentioned within the applicants remarks are a repetition of those arguments addressed above, and have not been addressed separately for that reason.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER P. GREY whose telephone number is (571)272-3160. The examiner can normally be reached on 10AM-7:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2474

/Christopher P Grey/
Examiner, Art Unit 2474